



## ZONING/SPECIAL USE PERMIT PROTEST PETITION

### CITY OF LENEXA GENERAL INFORMATION

The following general information is provided as a courtesy by the City of Lenexa for persons interested in filing a protest petition as permitted by K.S.A. § 12-757. It is not intended to be legal advice nor is it intended to be relied upon as such. Individuals wishing to file a protest are encouraged to seek independent legal advice.

1. Original protest petitions properly signed and acknowledged must be filed in the office of the City Clerk, Lenexa, City Hall, 12350 West 87<sup>th</sup> Street Parkway, Lenexa, Kansas, between the hours of 8:00 a.m. and 5:00 p.m. on regular business days, within fourteen (14) days after the date of the conclusion of the public hearing conducted by the Planning Commission pursuant to the publication notice.
2. The protest petition must be properly signed by at least 20% of owners of record of any of the real property proposed to be rezoned or on which a special use permit is requested or owners of record of at least 20% of the property within two hundred (200) feet of the area of the subject property, excluding streets and public ways.

If the subject property is located adjacent to or outside the city's limits and unincorporated, the protest petition must be properly signed by at least 20% of owners of record of any of the real property proposed to be rezoned or on which a special use permit is requested or owners of record of at least 20% of the property within one thousand (1,000) feet of the area of the subject property, excluding streets and public ways.

3. If a proper protest petition is filed, the rezoning or the requested special use permit can only be approved by an affirmative vote of at least seven (7) of the nine (9) member Governing Body. Protest petition forms are available from the Department of Community Development. Property owners may file their own forms provided they comply with state law and local ordinances.

### INSTRUCTIONS FOR FILLING OUT PROTEST PETITION FORMS

#### Signatures

The petition must contain the proper name in which the property is held. If the property is owned in the names of two or more people, each must sign in his or her own handwriting with the name as it is recorded at the Johnson County Register of Deeds. If the property is owned by a corporation, partnership or individual it must be signed by an individual on behalf of such entity and provide some indication of their capacity or authority to sign on behalf of such entity.

#### Acknowledgements

All signatures must be acknowledged by a notary public. The attached form is designed so that the person carrying the petition may witness each signature and then state this fact before a notary public. If this person does not witness all names, then those signing independently must have their individual signatures notarized.

If you have any questions please contact the Department of Community Development at 913-477-7500.

## **ZONING / SPECIAL USE PERMIT PROTEST PETITION**

The undersigned, owners of property within 200 / 1,000 (circle one) feet hereby protest the proposed rezoning or special use permit (circle one) as set forth in Application No. \_\_\_\_\_.

(Note: Petition must contain the proper name in which the property is held. If the property is owned in the names of two or more people, each must sign in his or her own handwriting with the name as it is recorded at the Johnson County Register of Deeds. If the property is owned by a corporation, partnership or individual it must be signed by an individual on behalf of such entity and provide some indication of their capacity or authority to sign on behalf of such entity.)

<b>Name</b>	<b>Address</b>	<b>Legal Description</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Carrier of Petition/Gatherer of Names:

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### **ACKNOWLEDGEMENT**

STATE OF KANSAS     )  
                                  )  
COUNTY OF JOHNSON)     ss:

Be it remembered that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me a notary public in and for said county and state, came \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same and who states that he or she personally witnessed the signatures of the above and foregoing individuals on the above Protest Petition and that they signed said Protest Petition in his or her presence.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year written above.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_